

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) U.S. National Stage of
) International Application
Sandrine Dulac, et al.) No. PCT/FR2004/003002
)
Application No. 10/596,057) Examiner: Devang R. Patel
)
Confirmation No. 1254) Art Unit: 1793
)
Filed: May 26, 2006)
)
For: ALUMINIUM ALLOY STRIP FOR)
BRAZING)

DECLARATION OF SYLVAIN HENRY UNDER 37 C.F.R. §1.132

I, Sylvain Henry, declare as follows:

1. I am a co-inventor of the invention of claims 1-22 in the above-captioned patent application. I am familiar with and have studied the above-captioned patent application, for which purpose this Declaration is being submitted.

2. I am a metallurgical engineer employed by the assignee of the above-captioned patent application. I have worked in the field of metallurgy for more than 14 years. Additionally, I am skilled in the art of designing and manufacturing aluminum alloys, including the product described in the above-captioned application and other alloys for use in brazing applications, as well as brazing methods involving such alloys.

3. I understand that the Examiner has asserted that our patent application does not show or describe "an aluminum brazing alloy coated as a single coating on at least one face of the core alloy," as recited in claim 1, or "coating one or more plates with a single coating consisting of a cladding alloy," as recited in claim 14. I also understand that the Examiner has rejected claims 1-18 on this basis.

4. As a person having skill in the relevant art, I recognize, as would any person of ordinary skill in this art, that the specification of our application fully and adequately discloses "an aluminum brazing alloy coated as a single coating on at least one face of the core alloy," as recited in claim 1, or "coating one or more plates with a

single coating consisting of a cladding alloy,” as recited in claim 14. The use of a single coating is both expressly and inherently present in the embodiments disclosed by our specification. Briefly, the specification discloses the cladding/brazing alloy layer, and the specification does not disclose any additional layers on the core alloy other than the cladding/brazing alloy. Thus, one skilled in the art would interpret this disclosure to mean that a particular face of the core alloy has only a single coating of the cladding/brazing alloy. Additionally, as a person having skill in the relevant art, I recognize, as would any person of ordinary skill in this art, that the specification of our application provides sufficient explanation of the above-mentioned features to permit a skilled metallurgist to make and use such features.


5. Following is a non-exhaustive list of examples of disclosures in our specification which expressly or implicitly show that the core alloy has only a single coating of the cladding/brazing alloy, referenced to the paragraph numbers in the published Application Publication No. 2007/0158386:

- a. In Par. 15, “the core alloy and the cladding alloy” and their relative melting temperatures are discussed, without reference to any other coating. This clearly indicates that no other coating is present on the core alloy, because otherwise, it would be necessary to discuss the melting temperature of that additional coating.
- b. In Par. 18, improving the wettability of “the cladding alloy” is discussed, along with avoiding the need to use a brazing flux. Again, this clearly indicates that only a single coating of the cladding/brazing alloy is present on the core alloy, because otherwise, the wettability of that additional coating would need to be discussed.
- c. In Par. 25, the specification states, “No other surface preparation is applied and in particular no flux is deposited.” This clearly indicates that only the single coating of cladding/brazing alloy was used in the sample in question.
- d. In Par. 13, the specification refers to “the cladding alloy,” implying that there is no other coating.

- e. In Par. 19, the specification states, "The brazing alloy is usually clad onto the core alloy by co-rolling," which clearly implies the use of a single coating created by co-rolling. Additionally, Par. 19 discusses the cladding/brazing layer being clad on a single face of the core alloy.
- f. In Par. 20, the specification states, "The brazing alloy may also be deposited in the form of particles," and that the presence of a flux in the coating is avoided. This clearly implies that only a single coating of the cladding/brazing alloy is deposited on the core alloy, and that no other coating exists.

6. All acts described in this Declaration were performed in the United States and/or a WTO country.

7. I declare further that all statements made herein are of my own knowledge and are true; that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false statements and the like, so made, are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this patent application or any patent issuing thereon.



Sylvain Henry

Dated: July 27, 2009